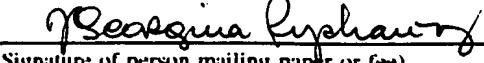


1 JUN 1995

Form PTO-1390 (Rev. 5/93) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (S-P Rev. 12/94)		ATTORNEY DOCKET NUMBER PICK-OK
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see CFR 1.5) 08/446804
INTERNATIONAL APPLICATION NO. PCT/US93/12076	INTERNATIONAL FILING DATE (16.12.93) 16 December 1993	PRIORITY DATE CLAIMED (18.12.92) 18 December 1992
TITLE OF INVENTION INHALER FOR POWDERED MEDICATIONS		
APPLICANT(S) FOR DO/EO/US Thomas J. Ambrosio, Charles R. Ashley, Alan J. Bilanin, Charles M. Huck, Andrew E. Kaufman, David J. Kenyon, Srinivas Manthena, Henry R. Sochon, Ken Wilkinson and Tsong-Toh Yang		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input checked="" type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: <input checked="" type="checkbox"/> Please amend the above-identified application as follows: <u>IN THE SPECIFICATION</u> Page 1, immediately after the title, add the following paragraph: -The present application is the United States national application corresponding to International Application No. PCT/US 93 / 12076, filed December 16, 1993 and designating the United States, which PCT application is in turn a <input checked="" type="checkbox"/> continuation-in-part <input type="checkbox"/> continuation of U.S. Application Serial No. 07/992959, filed December 18, 1992, the benefit of which applications are claimed pursuant to the provisions of 35 U.S.C. 120, 363 and 365 (C).</p> <p><input checked="" type="checkbox"/> Preliminary Examination Report.</p>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NO.	
	PCT/US93/12076	PD0340K	
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO Use Only	
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO \$850.00		\$850.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482): \$660.00			
No International preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$730.00			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$980.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$92.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 850.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
Claims (as amended)	Number Filed	Number Extra	Rate
Total Claims	27 -20	7	X \$22.00
Independent Claims	1 - 3 =	0	X \$76.00
Multiple dependent claim(s) (if applicable)		+ \$240.00	\$
TOTAL OF ABOVE CALCULATIONS =		\$ 1004.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$	
SUBTOTAL =		\$ 1004.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$	
TOTAL NATIONAL FEE =		\$ 1004.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$	
TOTAL FEES ENCLOSED =		\$ 1004.00	
		Amount to be: refunded \$ charged \$	
a. <input type="checkbox"/> A check in the amount of _____ to cover the above fee is enclosed.			
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No.: <u>19-0365</u> in the amount of \$ <u>1004.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0365</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:  Signature		"Express Mail" mailing label number <u>TB863254469 US</u> Date of Deposit <u>June 1, 1995</u>	
		I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated on above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231	
Robert A. Franks Name		Georgina Ryshawy (Typed or printed name of person mailing paper or fee)	
28,605 Registration Number		 (Signature of person mailing paper or fee)	
SCHERING-PLOUGH CORPORATION Patent Department, K-6-1 1900 2000 Galloping Hill Road Kenilworth, New Jersey 07033-0530			

PATENT DEPART.
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JUN 19 1995

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COMMENTS RAF

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COMPLETED BY [Signature]

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

24 Rec'd PCT/PTO 1 JUN 1995

In re Application of: Thomas J. Ambrosio et al.

Serial No.: to be assigned Attny: RAF/BB Case: PD0340K

Filed: _____ Date Mailed: June 1, 1995

For: INHALER FOR POWDERED MEDICATION **08/446804**

Attached: Transmittal Letter (in duplicate)
Declaration and Power of Attorney with copy
of specification attached
Preliminary Amendment
Change of address letter
International Preliminary Examination Report
Certificate of Express Mail No. TB863254469 US

Mailroom, please datestamp
and return to us. Thank you. PLEASE STAMP SERIAL NUMBER

27 Rec'd P... 01 JUN 95

PATENT

CASE PD0340K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas J. Ambrosio, Charles R. Ashley, Alan J. Bilanin,
Charles M. Huck, Andrew E. Kaufman, David J. Kenyon,
Srinivas Manthena, Henry R. Sochon, Ken Wilkinson and
Tsong-Toh Yang

Serial No.: Pending

Filed: Herewith

For: INHALER FOR POWDERED MEDICATIONS

(National phase filing of international application
PCT/US93/12076, filed December 16, 1993)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CHANGE OF CORRESPONDENCE ADDRESS

For all future communications involving the subject
application, please use the following information:

Patent Dept. K-6-1, 1990
Schering-Plough Corporation
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530
Telephone (908) 298-2908
Facsimile (908) 298-5388

Respectfully submitted,



Robert A. Franks
Attorney for Applicants
Reg. No. 28,605

May 31, 1995

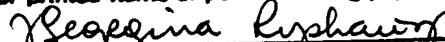
"Express Mail" mailing label number TB863254469 US

Date of Deposit June 1, 1995

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deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under
37 CFR 1.10 on the date indicated on above and is
addressed to the Commissioner of Patents and Trademarks,
Washington, D.C. 20231.

Georgina Ryshawy

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)